18063. Misbranding of Pike's Centennial salt rheum salve. U. S. v. 10⅙ Dozen Boxes of Pike's Centennial Salt Rheum Salve. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25873. I. S. No. 20177. S. No. 4116.)

Examination of a drug product, known as Pike's Centennial salt rheum salve, from the shipment herein described having shown that the carton and box labels and accompanying circular contained statements representing that the article possessed curative and therapeutic properties which it did not, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On February 9, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10⅙ dozen boxes of Pike's Centennial salt rheum salve, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by J. J. Pike & Co., from Chelsea, Mass., on or about November 29, 1930, and had been transported from the State of Massachusetts into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of petrolatum containing a small proportion of sassafras oil.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton and metal box) "Salt Rheum Salve;" (circular) "For Salt Rheum * * * For Corns, Bunions, Chilblains, Sore Heels, Ingrowing Nails * * * Sore Gums or Canker. * * * For Teething Children * * * For Diphtheria, * * * Salt Rheum Salve."

On March 7, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18064. Adulteration and misbranding of solution citrate of magnesia. U. S. v. The Sterling Magnesia Co. (Inc.). Plea of guilty. Fine, $500. (F. & D. No. 25688. I. S. Nos. 014207, 03518, 016476.)

Examination of samples of solution citrate of magnesia from the shipments herein described having shown that the article contained less citric acid than provided by the United States Pharmacopoeia, and that the bottles containing a portion of the article contained less than the amount declared on the label, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On February 27, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against the Sterling Magnesia Co. (Inc.), a corporation, New York, N. Y., alleging shipment by said company, in violation of the food and drugs act, from the State of New York into the State of Texas on or about April 27, 1929; from the State of New York into the State of New Jersey on or about July 3, 1929; and from the State of New York into the State of Pennsylvania on or about September 5, 1929, of quantities of solution citrate of magnesia which was adulterated and misbranded.

A portion of the article was labeled in part: (Blown on bottle) "'Sterling' SMC Solution Citrate of Magnesia The Sterling Magnesia Company New York Newark Chicago;" (bottle cap) "Solution Citrate of Magnesia U. S. P. SMC Cont. Approx. 11½ Fl. Oz." A portion was labeled in part: (Blown on bottle) "Solution Citrate Magnesia;" (bottle cap) "Solution Citrate of Magnesia U. S. P. SMC Cont. Approx. 11½ Fl. Oz." A portion was labeled in part: (Bottle label) "Effervescing Solution of Citrate of Magnesia U. S. P."

It was alleged in the information that the article was adulterated in that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia official at the time of investigation, in that the pharmacopoeia provided that 10 cubic centimeters of solution of magnesium citrate should contain total citric acid corresponding to 28 cubic centimeters of half normal sulphuric acid, whereas the said article contained in 10 cubic centimeters total citric acid corresponding to less than 28 cubic centimeters of half normal sulphuric acid, the three consignments contain-

ing total citric acid corresponding to 25.36 cubic centimeters, 25.4 cubic centimeters, and 26.7 cubic centimeters, respectively, of half normal sulphuric acid per 10 cubic centimeters of the article. Adulteration was alleged with respect to a portion of the product for the further reason that it contained free citric acid corresponding to less than 9.5 cubic centimeters of half normal sodium hydroxide, namely, not more than 8.96 cubic centimeters of half normal sodium hydroxide, whereas the pharmacopoeia provided that solution of magnesium citrate should contain free citric acid corresponding to 9.5 cubic centimeters of half normal sodium hydroxide, and the standard of strength, quality, and purity of the article was not declared on the container thereof. Adulteration was alleged with respect to the said portion of the article for the further reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was represented to be solution citrate of magnesia which conformed to the standard laid down in the United States Pharmacopoeia, whereas it was not.

Misbranding was alleged for the reason that the statements, "Solution Citrate of Magnesia U. S. P. * * * Cont. Approx. 11½ Fl. Oz.," borne on the caps of the bottles containing a portion, and the statement, "Solution of Citrate of Magnesia U. S. P.," borne on the label of the bottles containing the remainder of the said article, were false and misleading in that the said statements represented that the article was solution citrate of magnesia which conformed to the standard laid down in the United States Pharmacopoeia, and that each of the bottles containing a portion of the article contained approximately 11½ fluid ounces thereof, whereas the said article was not solution citrate of magnesia which conformed to the standard laid down in the said pharmacopoeia, and the bottles containing the said portions contained less than 11½ fluid ounces thereof.

On March 9, 1931, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $500.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18065. Misbranding of Potasafras. U. S. v. 24 Bottles, et al., of Potasafras. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25807. I. S. No. 12040. S. No. 3859.)

Examination of samples of a drug product, known as Potasafras, from the shipment herein described having shown that the bottle and carton labels and accompanying circular and booklet contained statements representing that the article possessed curative and therapeutic properties which it did not, the Secretary of Agriculture reported the matter to the United States attorney for the District of Colorado.

On January 31, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 24 bottles, $1.50 size, and 24 bottles, $2.50 size, of Potasafras, remaining in the original unbroken packages at Denver, Colo., consigned by the Columbus Chemical Corporation, Columbus, Ohio, alleging that the article had been shipped from Columbus, Ohio, on or about September 26, 1930, and transported from the State of Ohio into the State of Colorado, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of potassium iodide, compounds of sodium and magnesium, sulphates, a trace of phosphate, benzoic acid, extracts of plant drugs including glycyrrhiza, sugar, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statement appearing on the carton of the product was false and misleading: "We guarantee that it complies in every respect to all National, State and Territory Pure Food and Drug Laws." Misbranding was alleged for the further reason that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "Essentially, a Blood Corrective (Toxine Eliminant) * * * A Constitutional Medicine;" (carton) "Properties Essentially, a Blood Corrective (Toxine Eliminant) * * * A Constitutional Medicine;" (yellow circular entitled "Directions") "To get best results from Potasafras, take no other medicine. (The foregoing applies, regardless of what your trouble may be.) Symptoms—which arise from Potasafras, naturally vary greatly in different diseases and conditions. When the trouble is in the throat, lungs or bronchial tubes, coughing and expectora-